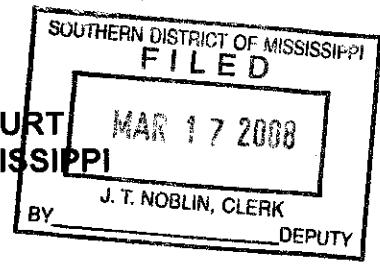


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



JAMES C. PEARSON, SR., #K0833

PETITIONER

v.

Civil Action No. 4:07-cv-83WS

STATE OF MISSISSIPPI, ET AL.

RESPONDENTS

**CERTIFICATE OF APPEALABILITY**

A notice of appeal has been filed in the above captioned habeas corpus case.

In habeas corpus cases where the detention complained of arises out of process issued by a state court pursuant to Title 28 U.S.C. § 2254; or where the detention arises out of a judgment and conviction in federal court which is being challenged pursuant to Title 28 U.S.C. § 2255; the court, considering the record in the case and the requirements of Title 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, shall determine whether a certificate of appealability shall issue, and if not, state its reasons for denying the certificate. The court finds as follows:

**Part A**

A certificate of appealability should issue.  
 A certificate of appealability should not issue. (See reasons below.)

**Part B**

The party appealing is a pauper.  
 The party appealing is not a pauper. (See reasons below.)

REASONS FOR DENIAL:

Petition barred by the statute of limitations at Title 28 U.S.C. § 2244(d).

Date: 03/17/08

Henry R. Wagstaff

UNITED STATES DISTRICT JUDGE